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Progress in the preparation for the meeting of the Ad Hoc Expert Group on Consideration with a View to Recommending the Parameters of a Mandate for Developing a Legal Framework on All Types of Forests

Note by the Secretariat

Summary

The present note describes the progress of the secretariat of the United Nations Forum on Forests in preparation for the meeting of the Ad Hoc Expert Group on Consideration with a View to Recommending the Parameters of a Mandate for Developing a Legal Framework on All Types of Forests. The secretariat is preparing documentation to assist the experts in undertaking the tasks mandated to them in Economic and Social Council decision 2003/299, in which the Council also decided that the present note would not be subject to discussion or negotiation at the fourth session of the Forum.

* E/CN.18/2004/1.

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I. Introduction

1. By its decision 2003/299, the Economic and Social Council established the Ad Hoc Expert Group of the United Nations Forum on Forests on Consideration with a View to Recommending the Parameters of a Mandate for Developing a Legal Framework on All Types of Forests and decided that the Forum should receive an information note at its fourth session on progress in the preparation of documentation for the meeting of the Group. It was also decided that the note would not be subject to discussion or negotiation at the fourth session of the Forum.

II. Ad Hoc Expert Group on Consideration with a View to Recommending the Parameters of a Mandate for Developing a Legal Framework on All Types of Forests

2. The Ad Hoc Expert Group was established for the purpose of providing scientific and technical advice to the United Nations Forum on Forests for its work on consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests.

3. At its meeting, the Ad Hoc Expert Group will adopt a report for submission to the United Nations Forum on Forests at its fifth session. The report will specify major outcomes of the Group's work, including proposals and recommendations for further consideration by the Forum.

4. The deadline for the nomination of experts to the Ad Hoc Expert Group is 31 March 2004. At its meeting, two co-chairpersons of the Group will be elected from among experts, one from a developing and one from a developed country.

A. Tasks

5. The Ad Hoc Expert Group was requested by the Economic and Social Council to undertake the following specific tasks:

(a) Assess existing regional and international binding and non-binding instruments and processes relevant to forests, including an analysis of complementarities, gaps and duplications, taking into account Forum resolution 2/3 on specific criteria for the review of the effectiveness of the international arrangement on forests;[1]

(b) Consider reports prepared by countries, member organizations of the Collaborative Partnership on Forests and the Forum secretariat, as well as outcomes of Forum sessions;

(c) Consider other outcomes of the international arrangement on forests, inter alia, the efforts of countries to implement the proposals for action of the Intergovernmental Panel on Forests (IPF)/Intergovernmental Forum on Forests (IFF), other expert group, country- and organization-led initiatives of the Forum and previous relevant initiatives as well as forest-related work undertaken by the member organizations of the Collaborative Partnership on Forests;

(d) Review the relevant experiences of existing forest-related and other relevant organizations and agreements, including multilateral environmental agreements and regional conventions and processes, focusing on complementarities, gaps and duplications;

(e) Provide for the consideration of the Forum at its fifth session, a balanced range of options with respect to the consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests.

B. Meeting of the Ad Hoc Expert Group

6. In accordance with Economic and Social Council decision 2003/315 of 19 December 2003, the meeting of the Ad Hoc Expert Group will be held from 6 to 10 September 2004 in New York.

C. Views of countries and member organizations of the Collaborative Partnership on Forests

7. In its decision 2003/299, the Economic and Social Council invited the member States of the United Nations Forum on Forests and member organizations of the Collaborative Partnership on Forests to submit views and information, by 31 January 2004, on the following preparations for the meeting of the Ad Hoc Expert Group:

(a) Presentation of factual and technical information, including updated information on existing regional and international binding and non-binding instruments and processes relevant to forests as well as on other relevant organizations and agreements, including multilateral environmental agreements and regional conventions and processes;

(b) Compilation of the progress made and catalysts and obstacles encountered by member States and member organizations of the Collaborative Partnership on Forests in implementing the proposals for action of IPF/IFF and the decisions and resolutions adopted by the United Nations Forum on Forests;

(c) Presentation and detailed description of a range of options, including their legal, financial and institutional modalities.

8. The Council also invited the secretariat of the United Nations Forum on Forests to compile the views submitted by the member States and the information provided by member organizations of the Collaborative Partnership on Forests in preparation for the meeting of the Ad Hoc Expert Group.

9. In accordance with decision 2003/299, in addition to its efforts to keep member States appraised of the progress in the preparation of documentation for the meeting of the Ad Hoc Expert Group, the Bureau of the United Nations Forum on Forests will undertake consultations with the member States by convening a one-day informal meeting in New York, immediately after the meeting of the Bureau prior to the fourth session of the Forum.

III. Progress in the preparation of documentation for the meeting of the Ad Hoc Expert Group

10. At the time of the writing of the present note, only a limited number of views and information had been provided to the secretariat by member Sates and member organizations of the Collaborative Partnership on Forests. The informal consultation described in paragraph 9 above had not yet taken place. However, taking into account the views that the secretariat has received to date, it plans to undertake the preparation of at least three substantive documents for the meeting of the Ad Hoc Expert Group, as described in the following sections. The secretariat will, to the greatest extent possible, draw upon the expertise available within the Collaborative Partnership on Forests in preparation for the meeting of the Group. The slotting date for document submission is expected to be around the end of June 2004. At that time the documents will be posted on the secretariat web site as advance unedited texts. Hard copies will be available from the secretariat upon request.

A. Presentation of technical and factual information

11. The document presenting technical and factual information is meant to assist the Ad Hoc Expert Group in carrying out the tasks outlined in paragraphs 5 (a) and (d) above. It will update already existing information contained in documents prepared in support of the work of IPF/IFF as well as work undertaken by the Collaborative Partnership on Forests as it relates to technical and factual information on forest-related organizations, instruments and processes. The document will take particular note of recent developments in forest-related instruments and processes. The document will probably exceed the mandated 8,500 word limit on documentation and will be issued as a background paper, in English only.

B. Progress in implementation

12. The document on progress in implementation is meant to assist the Ad Hoc Expert Group in fulfilling its tasks outlined in paragraph 5 (c) above. Some of the views submitted contained assessments of progress in implementation. National reports to sessions of the Forum of relevance to the thematic focus of particular sessions have also been submitted. The secretariat of the Forum will use this information in the preparation of a compilation on progress made and catalysts and obstacles encountered in implementing the proposals for action of the IPF/IFF and the decisions and resolutions of the United Nations Forum on Forests.

13. The document is also strongly related to the criteria set out in paragraph 4 (a) on implementation of IPF/IFF proposals for action of Forum resolution 2/3 on "Specific criteria for the review of the effectiveness of the international arrangement on forest".[1] A proposal for a process of this review is contained in document E/CN.18/2004/12, which will be considered at the fourth session of the Forum. While the process of the review will not be decided upon until the fourth session, the secretariat of the Forum will make sure that whatever information on progress in implementation is ready by the time that the meeting of the Ad Hoc Expert Group takes place is made available to the experts during their deliberations.

C. Range of options

14. The document on the range of options is meant to assist the Ad Hoc Expert Group in fulfilling its tasks outlined in paragraphs 5 (b) and (e) above. The views submitted to date contain, in some cases, detailed descriptions of a range of options, including their legal, financial and institutional modalities. The secretariat will compile these reports verbatim, in the language in which they were submitted, and make them available to the ad hoc expert group.

D. Other documentation

15. The Ad Hoc Expert Group will have before it an annotated provisional agenda for the meeting. The secretariat will also prepare a provisional organization of work in the form of an informal paper.

16. Economic and Social Council decision 2003/299 explicitly stated that the reports of the two other ad hoc expert groups established by that decision, one on approaches and mechanisms for monitoring, assessment and reporting and the other on the finance and transfer of environmentally sound technologies, would serve as inputs to the work of this ad hoc expert group. These meetings of the two ad hoc groups took place at Geneva from 8 to 12 December and from 15 to 19 December 2003, respectively. The reports of the groups are contained in documents E/CN.18/2004/2 and E/CN.18/2004/5. The reports will be discussed during the fourth session of the Forum and, together with any resulting outcomes from the fourth session deliberations, will be made available to the Ad Hoc Expert Group.

17. Some of the views received to date have also made recommendations regarding background information and documentation, which the experts may find useful to consult before the meeting. The secretariat will, as with the other two expert groups, post links to useful background information on the secretariat web site, www.un.org/esa/forests , prior to the meeting of the Ad Hoc Expert Group.

Notes

[1] See *Official Records of the Economic and Social Council, 2002, Supplement No. 22* (E/2003/42), chap. II.B.